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Trial Starts Here

Arizonan Called 'Brains' Of B26 Smuggling Plot

Gregory R. Board, a Tucson, Ariz., businessman who was indicted in a conspiracy to smuggle bombers to Portugal but who never was arrested, was pictured in Federal Court Wednesday as the mastermind behind a government-sponsored scheme.

This version of the world-famous bomber case was presented by defense attorneys in opening statements as three defendants went on trial before Judge John O. Henderson and a jury of 10 men and two women.

The government alleges the three participated in a plot to ferry B26 bombers to Portugal for use against rebels in that nation's African colonies of Angola and Mozambique. Seven of the World War II-vintage planes actually reached Portugal, it is charged.

The lawyer for at least one of the defendants, bearded John R. Hawke, 28, a former RAF pilot now living in Ft. Lauderdale, Fla., is contending the Central Intelligence Agency (CIA) secretly backed the scheme.

In his opening statement, Atty. Edwin Marger, Miami Beach, Fla., told the jury:

"We will prove that the United States allowed Board to leave the country at a time when he could have been apprehended; that the government knows where he is and has done nothing to bring him back."

Describes Board

He described Board as the man who made the arrangements to get the bombers out of "mothballs" and into flying condition, and as the man who hired Hawke to do the flying.

"Hawke thought he was working for the U.S. government," said Marger. "We'll show that Hawke had every reason to believe that Board had written permission from the government to export these planes."

Far from being secretive about the flights, Hawke was almost "ostentatious" and at one point even got into trouble by

flying over the White House in a B26, Marger said.

The government maintains a list of "implements of war" which may not be exported without a special license. It is a violation of the 1954 Munitions Control Act to do so.

Atty. Edward Brodsky of New York City took a position similar to Marger's in his opening statement for Count Henri M. F. de Montmarin, 58, a tall Parisian who came to this country to order the planes.

'Job of Seller'

"DeMontmarin had every reason to believe there were licenses," Brodsky said. "It is the job of the seller, in this case Board, to get the licenses. This is the way the business works."

Brodsky said deMontmarin, who was acting as agent for a Swiss firm, saw nothing unusual in the B26 deal. DeMontmarin, said Brodsky, has been in the business of buying and selling airplanes for years and had once arranged with the Boeing Airplane Co. for the sale of KC135 cargo planes to France.

Paul I. Birzon, attorney for the third defendant, Woodrow W. Roderick, 47, a Canadian living in Tucson, reserved the right to make an opening statement later. Roderick is accused of signing the contract for the purchase of the planes.

U.S. Atty. John T. Curtin called one witness Wednesday. He was Keat E. Griggers, 42, of Jamestown, Calif. Griggers, a crewman on the B26 flights, was indicted but charges against him were dismissed.

Griggers testified that, after the planes were renovated, they were inspected by Federal Aviation Agency men and certified for civilian use.

Several of the planes are alleged to have been flown from Tucson through Western New York and over the Canadian border on their way to Europe. As a result, the violation is alleged to have occurred in this district.